

BERNABEI & KABAT, PLLC

ATTORNEYS AT LAW

1400 16th STREET, N.W., SUITE 500

WASHINGTON, D.C. 20036-2223

LYNNE BERNABEI

202.745.1942

DEVIN WRIGLEY

ALAN R. KABAT

FAX: 202.745.2627

OLIVIA JERJIAN

PETER M. WHELAN

WWW.BERNABEIPLLC.COM

KRISTEN SINISI

February 5, 2020

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Soliman Al-Buthe, in response to plaintiffs' motion for a default judgment (ECF 5628, 5631, 5634).

Mr. Al-Buthe is unable to participate any further in this litigation due to his inability to sit for a deposition outside Saudi Arabia. Mr. Al-Buthe had expressed his willingness to sit for a videotaped deposition in Saudi Arabia, an offer plaintiffs declined. But since Mr. Al-Buthe is still under indictment in the U.S. on charges of conspiracy and currency reporting violations (in a case that was later dismissed as to the other two defendants, the Al Haramain Islamic Foundation (USA) and Perouz Sedaghaty), he was not willing to travel outside the Kingdom to sit for a deposition where he might be subject to arrest and extradition. I should stress that Mr. Al-Buthe is not charged with terrorism or with material support, and there is no suggestion in any of the evidence gathered in this case that he has any connection whatsoever with the 9/11 attacks. Mr. Al-Buthe, who is retiring this month and does not have assets that could satisfy a judgment against him, has elected to default.

The Honorable Sarah Netburn

February 5, 2020

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Respectfully submitted,

/s/ Alan R. Kabat

Alan R. Kabat

cc: All MDL Counsel of Record (via ECF)